

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-47288 of 2023
Date of Decision: January 31, 2024

Maha Kaur

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARPREET SINGH BRAR

Present:- Mr. Kawalpreet Singh Virk, Advocate
for the petitioner

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Neha Sharma, Senior Panel Counsel
for respondent No. 1 - UOI

Ms. Geeta Sharma, DAG Haryana
for respondents No. 2 to 4

Harpreet Singh Brar, J. (Oral)

1. Prayer in the present petition under Section 482 Cr.P.C. is for issuance of directions to respondents No. 1 and 2 to take up the issue with regard to thorough investigation into the untimely and sudden death of petitioner's son with Canadian authorities to ascertain whether he died of natural or unnatural causes in the interest of justice.
2. Learned counsel for the petitioner *inter alia* contends that petitioner's son Kuldeep Kuhad had purchased multiple properties in India as well as in Canada and he has also funded the higher education of his wife in America. He also lent large sums of money to his father-in-law. Her son Kuldeep had also established a Dental Hospital for his wife in Canada. Since the year 2011, the couple were not on talking terms and they ultimately obtained

Crl. Misc. No. M-47288 of 2023

-2-

customary divorce through Panchayat. Learned counsel for the petitioner further submits that the properties in Canada were under the joint ownership of both Kuldeep and Manjula. As soon as the dental practice of Manjula Duhan started flourishing in Canada, she started coercing and pressurizing Kuldeep to transfer the ownership of his properties in India and Canada solely to her. The petitioner strongly suspect that there is foul play involved in her son's death owing to the fact that his death took place on account of cardiogenic shock even though her son was not suffering from any heart-related ailments. The son of the petitioner passed away on 29.07.2022. On 16.07.2023, the petitioner filed a representation (Annexure P-1) to the Chief Minister, Haryana. Thereafter, she filed three more representations Annexures P-2 to P-4 respectively.

4. Admittedly, son of the petitioner and his wife were living separately since the year 2011 as they had absolved their marriage through customary divorce. There is nothing on record to remotely suggest that son of the petitioner had died unnatural death. Moreover, the indolent attitude of the petitioner in not approaching the concerned authorities for a period of one year would not warrants any interference in the present matter. The entire alleged harassment was caused to the son of the petitioner in Canada, as such the present petition is totally misconceived and bereft of any merit.

5. Accordingly, the petition is dismissed.

(HARPREET SINGH BRAR)
JUDGE

January 31, 2024

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No